

City Hall News

From the desk of

Fort Bragg City Manager Linda Ruffing

July 31, 2008

- 1. Coastal Trail Project.** Community Development Director Marie Jones and I, together with representatives from State Parks, State Coastal Conservancy, and the Mendocino Land Trust met with the Coastal Commission's Executive Director Peter Douglas to discuss trail alignment and coastal permit processing issues related to the Glass Beach Headlands/North Mill Site coastal trail project. Peter expressed his strong support for the project and stated that he consider the project to be primarily a "restoration" project, as it will eliminate several miles of volunteer trails that are woven throughout the Glass Beach Headlands and includes the removal of acres of pavement along the coastline on the North Mill Site. He also agreed with State Parks proposed alignment of the trail and indicated that the Coastal Commission is not in a position to second guess State Park's trail planners when it comes to the design of the trail.
- 2. Animal Care and Control.** Police Chief Mark Puthuff is engaged in dialogue with the Mendocino County Animal Care and Control Division regarding problems that we've experienced with the dispatching of animal control officers. The primary issue seems to be a staffing problem as, due to two vacant positions, the County presently has only two animal control officers covering the entire 3,500 square mile county. It appears that the City is not receiving the level of service contemplated in our contract with the County and we are working to remedy that situation. At the same time, Chief Puthuff and Animal Control Division Chief Bliss Fisher are reviewing the policies and procedures for Animal Control to ensure that there is clarity about which agency (Animal Control, Fish & Game, Police Department, private exterminator, etc.) should be dispatched to handle the various situations that arise. The goals are to ensure that calls for service are properly dispatched, to provide clear information to the public, and to improve the level of service to our community.
- 3. Wave Energy Update.** The City was notified that the Federal Energy Regulatory Commission (FERC) has granted itself an extension of time to consider the second round of requests for re-hearing that were filed by the City, County, FISH, et. al. on FERC's "Staff Guidance on Hydrokinetic Pilot Procedures and Staff FAQs on Conditional Licenses." The local agencies and stakeholders requests for rehearing noted that FERC failed to comply with federal laws in making rules and procedures for wave energy pilot projects. These laws include the federal Administrative Procedure Act, the National Environmental Policy Act, the Clean Water Act, and the Coastal Zone Management Act. FERC's action places this matter into a "black hole" where there is no established timeframe for a response to the substantive issues raised in the request for rehearing. Last week, I met with County staff, Supervisors Smith and Colfax, and Assemblywoman Patty Berg to get her thoughts on how to ensure that there is a public process that informs all of the decisions about wave energy off our coast. She had some good suggestions about key individuals to contact and opportunities for networking and tying the wave energy issue to broader policy initiatives such as AB 32. I also received a call from Maurice Hill of the Minerals Management Service (MMS) requesting an opportunity to meet informally

with the ad hoc wave energy subcommittees of the City Council and Board of Supervisors to discuss PG&E's application for a lease under MMS' "Limited Alternative Energy Lease" process. MMS has received as little detail about PG&E's proposed plans for studies and deployment of pilot wave energy devices as the City.

4. **August LCP Certification Confirmed.** The City's comprehensive Local Coastal Program amendment is on the Coastal Commission's agenda for final certification actions which will occur on Friday, August 8th in Oceanside.
5. **BOS Increases Caspar Transfer Station Fees.** The County Board of Supervisors took action last week to increase the gate fees at all County transfer stations to \$23/cubic yard effective August 1, 2008 and \$25/cubic yard effective January 1, 2009. The Board of Supervisors' action will go a long way towards eliminating the City's operating subsidy at the Caspar Transfer Station. The County is continuing discussions about "privatization" of the County's transfer station sites. The concept is that each site would be turned over to the operator serving the area (i.e., Waste Management for the Caspar Transfer Station), rather than being operated by County Solid Waste Division staff. With the assistance of Mendocino Solid Waste Management Authority General Manager Mike Sweeney, I will be following this dialogue and evaluating what the ramifications are for the City. At a minimum, an amendment to the City-County Joint Powers Agreement for the Caspar facility would be needed as the agreement stipulates that Caspar will be operated by a public entity.
6. **Noyo River Flows.** City staff is closely monitoring the flows in the Noyo River because of the limited amount of water in the river due to an exceptionally dry spring. At present, about half of the approximately 1,000,000 gallons per day of water consumed comes from our Noyo diversion. While implementation of the City's water conservation ordinance provisions is not necessary at this time, we are requesting that people do all that they can to conserve water.